

DISPOSITION: December 3, 1946. Ranger Joe, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be relabeled in compliance with the law, under the supervision of the Federal Security Agency.

10383. Misbranding of wheat germ. U. S. v. 50 Bags * * *. (F. D. C. No. 21769. Sample Nos. 32198-H, 71105-H.)

LIBEL FILED: November 27, 1946, Southern District of California.

ALLEGED SHIPMENT: On or about October 24 and November 13, 1946, by the Crown Mills, from Portland, Oreg.

PRODUCT: 50 50-pound bags of wheat germ at Los Angeles, Calif. This product contained less than 50 percent of wheat germ.

LABEL, IN PART: "Crown Bakers Wheat Germ."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label designation "Wheat Germ" was false and misleading; and, Section 403 (b), a mixture containing less than 50 percent wheat germ had been offered for sale under the name "wheat germ."

DISPOSITION: January 22, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a county agency for distribution to various charitable institutions.

CHOCOLATE, SUGAR, AND RELATED PRODUCTS

CANDY

10384. Adulteration of candy bars. U. S. v. De Luxe Candy Co. and Emanuel Leviton. Pleas of guilty. Fine of \$75 against each defendant. (F. D. C. No. 21495. Sample Nos. 17697-H, 17698-H, 19358-H, 19359-H, 19781-H to 19783-H, incl.)

INFORMATION FILED: December 21, 1946, District of Minnesota, against the De Luxe Candy Co., a corporation, Minneapolis, Minn., and Emanuel Leviton, president and plant manager.

ALLEGED SHIPMENT: Between the approximate dates of July 22 and 30, 1946, from the State of Minnesota into the States of Michigan, Iowa, and Wisconsin.

LABEL, IN PART: "Luxy Bar."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of insects, insect fragments, mites, insect eggs, rodent hair fragments, and human hairs; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: January 13, 1947. Pleas of guilty having been entered on behalf of both defendants, the court imposed a fine of \$75 against each defendant.

10385. Adulteration of candy. U. S. v. 44 Cases * * *. (F. D. C. No. 21939. Sample Nos. 57230-H, 57252-H.)

LIBEL FILED: December 16, 1946, District of New Hampshire.

ALLEGED SHIPMENT: On or about October 30 and November 18, 1946, by the Federal Candy Co., from Springfield, Mass.

PRODUCT: 44 cases, each containing 6 1-pound boxes, of candy at Keene, N. H.

LABEL, IN PART: "June Barbara Assorted Candies Manufactured by June Barbara Chocolate Co. Springfield, Mass."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of rodent hair fragments and insect fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: January 23, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

10386. Adulteration of chocolate-covered peanuts. U. S. v. 29 Cases * * *. (F. D. C. No. 21860. Sample No. 48140-H.)

LIBEL FILED: October 30, 1946, District of Utah.

ALLEGED SHIPMENT: On or about April 21, 1946, by the F. Stark Products Co., from Chicago, Ill.

PRODUCT: 29 30-pound cases of chocolate-covered peanuts at Provo, Utah.

LABEL, IN PART: "Oval Brand Chocolate Dipped Peanuts Mfd. by Peanut Specialty Co. Chicago Ill."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of larvae, insect parts, and webbing.

DISPOSITION: December 20, 1946. No claimant having appeared, judgment was entered ordering that the product be destroyed by being utilized as animal feed.

10387. Adulteration of pecan nougat roll. U. S. v. 18 Cartons * * *. (F. D. C. No. 21347. Sample No. 48174-H.)

LIBEL FILED: October 22, 1946, District of Utah.

ALLEGED SHIPMENT: On or about July 17, 1946, by the Maurmann Candy Co., from Chicago, Ill.

PRODUCT: 18 cartons, each containing 12 8-ounce bars, of pecan nougat roll at Salt Lake City, Utah. Examination showed that the article was insect-infested.

LABEL, IN PART: "Gra-Maur Pecan Nougat Roll."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance.

DISPOSITION: December 6, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

10388. Misbranding of wild cherry drops. U. S. v. 200 Boxes * * *. (F. D. C. No. 22129. Sample No. 65946-H.)

LIBEL FILED: December 26, 1946, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about November 6, 1946, by the Old Dominion Candy Corporation, from New York, N. Y.

PRODUCT: 200 boxes, each containing 60 cartons, of wild cherry drops at Souder-ton, Pa. Examination showed that the cartons contained only 9 pieces of candy, whereas 22 pieces could have been placed in the cartons. The article was also short-weight.

LABEL, IN PART: "Snows Wild Cherry Drops Imitation with Honey * * * Net Weight 1 Oz."

NATURE OF CHARGE: Misbranding, Section 403 (d), the container of the article was so filled as to be misleading; and, Section 403 (e) (2), the label of the article failed to contain an accurate statement of the quantity of the contents.

DISPOSITION: January 7, 1947. The Old Dominion Candy Corporation, New York, N. Y., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond to be repacked so as to bring it into compliance with the law, under the supervision of the Federal Security Agency.

CHOCOLATE AND CHOCOLATE PRODUCTS

10389. Adulteration of chocolate. U. S. v. 103 Bales * * *. (F. D. C. No. 21419. Sample Nos. 53194-H, 53479-H.)

LIBEL FILED: November 8, 1946, Southern District of Ohio.

ALLEGED SHIPMENT: On or about October 10, 1946, by the Overland Candy Corporation, from Chicago, Ill.

PRODUCT: 37 bales and 66 bales, each containing 20 10-pound slabs, of chocolate at Washington Court House, Ohio.

LABEL, IN PART: "Ambrosia Thindark Sweet Chocolate Manufactured by Ambrosia Chocolate Co. Milwaukee, Wis." or "General [or "General 85"] Sweet Chocolate with Added Emulsifier [or "King Dark Sweet Chocolate"] Manufactured by Rockwood & Co., Brooklyn, N. Y."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects and insect parts.

DISPOSITION: December 30, 1946. The Washington Court House Candy Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be